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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

MICHAEL R. MARCUS and VICTORIA L.  
MARCUS,

Plaintiffs,

vs.

AIR & LIQUID SYSTEMS CORPORATION,  
*et.al.*

Defendants.

Case No.: 4:22-cv-09058-HSG

[Alameda County Superior Court Case No.:  
22CV021840]

**STIPULATION OF DISMISSAL  
WITHOUT PREJUDICE; ORDER**

Courtroom: 02, 4<sup>th</sup> Floor

District Judge: Hon. Haywood S. Gilliam Jr.

Filed in State Court: November 15, 2022

Removed to NDCA: December 21, 2022

Trial Date: August 26, 2024.

1 **TO THE COURT, ALL PARTIES, AND THEIR ATTORNEYS OF RECORD:**

2 **PLEASE TAKE NOTICE** that, pursuant to Federal Rule of Civil Procedure Section  
3 41(a)(1)(A)(i)(ii), Plaintiffs Michael R. Marcus and Victoria L. Marcus (“Plaintiffs”) and  
4 Defendant J.T. Thorpe & Son, Inc. (“Defendant”) hereby stipulates as follows:

5 1. On November 15, 2022, Plaintiffs filed their Complaint for Personal Injury and Loss  
6 of Consortium – Asbestos in the Superior Court of the State of California, Couty of Alameda  
7 Case No. 22CV021840.

8 2. On December 21, 2022, the above action was removed to the United States District  
9 Court, Northern District of California, Case No. 4:22-09058.

10 4. On January 23, 2024, Plaintiffs and Defendant reached an agreement of all claims in  
11 this action.

12 Based on the foregoing facts, Plaintiffs and Defendant stipulate and agree to the  
13 following:

14 This Court should dismiss this Action in its entirety against J.T. Thorpe & Son, Inc.,  
15 only, without prejudice. Each party to bear its own fees and cost.

16 DATED: January 29, 2024

Maune Raichle Hartley French & Mudd LLC

17 By: 

Rabiah N. Oral

Attorney for Plaintiffs

18  
19 DATED: January 29, 2024

20 By: 

Narine Levonyan, Esq.


Attorney for J.T. Thorpe & Son, Inc.

**ORDER**

Having read and considered the foregoing stipulation of parties, and good cause appearing:

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: 2/21/2024

  
\_\_\_\_\_  
Honorable Haywood S. Gilliam, Jr.  
UNITED STATES DISTRICT COURT  
JUDGE

Order to Dismiss JTTS.DOCX